

REMARKS/ARGUMENTS

Claims 6, 7, 10-12, 38-41, 49-58, and 60-66 are active in the present application.

The claims have been amended to define the cell composition being cultured as “mature.” No new matter is added in light of the support for these amendments found in the specification on page 7, lines 3-4 and 6-7.

Based on the comments in the Advisory Action of January 28, 2005 and previous discussions between the undersigned and the Examiner, a central reason why the various rejections have been maintained is the definition of “lineage committed cells.” However, as amended herein, the cell composition being cultured in the claimed methods are mature cells which should obviate any confusion as to what types of cells are being cultured.

In view of these amendments, it is requested that the rejections under 35 U.S.C. § 112, second paragraph 35 U.S.C. § 112, first paragraph be withdrawn. Furthermore, as the references cited in support of the 35 U.S.C. § 102(b) rejections do not describe culturing mature cells under the conditions set forth in the claims, it is also requested that these rejections be withdrawn.

Specifically, as has been discussed in detail previously, the Emerson et al publications describe culturing human bone marrow stromal cells by a method where a liquid culture medium is replaced or perfused at a specified rate. The human bone marrow stromal cells employed in Emerson are not mature cells as defined in the present claims. Bone marrow stromal cells are known to be multipotent or cells that can develop into many different types of cells, i.e., progenitor or stem cells, which is supported by the general knowledge concerning

bone marrow stromal cells (see Prockop DJ. Marrow stromal cells as stem cells for nonhematopoietic tissues. *Science* 1997 Apr 4;276(5309):71-4 of record). Multipotent cells are not mature cells.

Caldwell et al similarly describe culturing bone marrow stromal cells to detect GM-CSF secretion (see page 350, column 1). Bone marrow stromal cells are NOT mature cells as in the present claims.

For the foregoing reasons, it is respectfully submitted that this application is now in a condition for allowance. A notice of allowance for Claims 6, 7, 10-12, 38-41, 49-58, and 60-66 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, he is encouraged to contact Applicants' undersigned representative at the below listed telephone number.

Respectfully submitted,

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